

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD MONDAY, OCTOBER 5, 2020**

COUNCIL PRESIDENT ISTNICK – Welcome to the Massillon City Council Meeting for Monday, October 5, 2020. We have in attendance with us the following city officials: Mayor, Kathy Catazaro-Perry, Safety Service Director, Barb Sylvester, Law Director, Justin Richard, Chief Counsel, Bill Bartos, Chief Engineers, David Krock and Jason Popiel, Economic Development Director, Dave Maley, Parks & Rec. Director, Steve Pedro and Health Commissioner, Terri Argent. Under item #5 on the agenda is where the public can speak on any item that appears on tonight's agenda and then under item #17 is where the public can speak on any item that does NOT appear on tonight's agenda.

COUNCIL PRESIDENT ISTNICK – Roll call.

1. ROLL CALL

Roll call for the evening found the following Council Members present: Jill Creamer, Mike Gregg, Nancy Halter, Ted Hermcane, Ed Lewis, Linda Litman, Mark Lombardi, Megan Starrett and Jim Thieret.

Roll call of 9 present

2. INVOCATION

COUNCILWOMAN NANCY HALTER

3. PLEDGE OF ALLEGIANCE

LED BY COUNCILWOMAN HALTER

4. READING OF THE JOURNAL

COUNCIL PRESIDENT ISTNICK – Thank you, Councilwoman Halter, Chairman of the Health, Welfare and Building Regulations Committee. Madam Clerk are the minutes of the previous meeting transcribed and open for public viewing?

COUNCIL CLERK ROLLAND – No, Madam President. I'm still working on them. There was a lot of dialog.

COUNCIL PRESIDENT ISTNICK – Okay. Thank you. Before we get into the remarks of delegations or the citizens on matters on tonight's agenda, I know if we had Councilwoman Cunningham still here with us, she would take a moment to say something. Is there anyone on Council that would like to speak for her that knows what I'm talking about?

COUNCILMAN GREGG – I would, Madam President.

COUNCIL PRESIDENT ISTNICK – Thank you, Councilman Gregg. Go ahead.

COUNCILMAN GREGG – I'd just like to give a big "shout-out" to the Massillon Tiger football team. The defeated our archrival, McKinley, in a well-played game on Saturday afternoon. Go Tigers!!

COUNCIL PRESIDENT ISTNICK – You said that much more eloquently than I would have. Thank you.

5. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS ON THE AGENDA

CRAIG SANDERS – Progressive Auto Group.

COUNCIL PRESIDENT ISTNICK – Go ahead, Mr. Sanders.

CRAIG SANDERS – Go Tigers! I listened to the game on the radio and I enjoyed it. It was a lot of fun. That doesn't count against my three minutes, though, does it?

COUNCIL PRESIDENT ISTNICK – No it doesn't. Go right ahead.

CRAIG SANDERS – Over the last twelve plus months, I've spent a lot of time tailoring a plan with the help of neighbors, excavators, engineers, landscapers, the two hundred plus employees who work for the dealership on Hills and Dales Rd., lawyers and the City of Massillon to try to come to a compromise at 1900 Wales Rd. In addition to having the Massillon Law Director involved with our attorney to draft a Declaration of Restrictive Covenants, we've also had lighting studies done, storm water management models run, several versions of landscaping modifications created and we've agreed to build large access ramps on the existing Progressive Chevy lot to provide the only public access to the church property through Progressive Auto Group on Hills and Dales; first is having access off of Wales Rd. All of these steps and accommodations have been thought through and agreed to by Progressive Auto Group to provide a reasonable path to protect the neighborhood, but, this does require some compromise from every party involved. I know many people, no matter the situation, that always want things to stay the same but that simply isn't reality. On a slightly different note, I've had some people ask me questions about 1900 Wales Rd. and the property where Progressive Chevrolet and Progressive Chrysler, Dodge, Jeep and Ram reside. And yes, all three locations are within the City of Massillon. Customers that do business at these dealerships, which are the only new vehicle dealerships in the City of Massillon, pay a lot of local, county, state and Federal taxes which some of those tax dollars do come right back into the City of Massillon. The total sales tax on vehicles, property tax, payroll tax and general sales tax, generated over the last five years at Progressive Chevrolet and Progressive Chrysler, Dodge, Jeep and Ram was a combined total of \$29,000,924,018.00. Based on how the tax code is written because the church is a non-profit, it is my understanding that the property at 1900 Wales Rd. didn't generate any taxes. Agreeing to this proposal will allow Progressive Auto Group to expand the existing dealerships, provide a better experience for our customers and employees and give us the essential space we need to compete in a very competitive industry. We are a family owned and operated business and have been for four generations since 1937. If the rezoning is approved, we would make it beautiful, we would have it professionally maintained and I believe people would be proud. We are a growing group of companies; we need to expand our existing businesses to provide opportunity for future employees and advancement opportunities for those who have proven themselves and we want to do it right here in Massillon. Thank you for your time.

COUNCIL PRESIDENT ISTNICK – Diane, are any of the mics muted from the community?

COUNCIL CLERK ROLLAND – I have not muted anyone.

COUNCIL PRESIDENT ISTNICK – Okay. Is there anyone else that would like to speak? I'll give you the opportunity, but I don't want to waste time either.

6. NEW AND MISCELLANEOUS BUSINESS

COUNCILWOMAN LITMAN – Madam President.

COUNCIL PRESIDENT ISTNICK – Yes, Linda.

COUNCILWOMAN LITMAN – I do have a question. Because our timeline appeared to be so short, is there any update to the receipt of the \$1.1 million from the Ohio House of Representative? I'm not sure if Jayne could perhaps speak to that for a moment?

COUNCILMAN LEWIS – Madam President.

COUNCIL PRESIDENT ISTNICK – Yes, Councilman Lewis.

COUNCILMAN LEWIS – I was going to do that during Committee update.

COUNCIL PRESIDENT ISTNICK – Okay. Is that alright, Mrs. Litman.

COUNCILWOMAN LITMAN – Absolutely, that's fine.

COUNCIL PRESIDENT ISTNICK – Okay. I would like to, I guess at this point, to just take a moment to mention that there will be a Public Hearing on the church property in case the community isn't aware of that and it is going to be on October 28th at 6:00 p.m. at the Lincoln Lions Theatre. Councilwoman Starrett, you were aware of that correct?

COUNCILWOMAN STARRETT – Yes ma'am. Yes, I was going to address it at the time the ordinance came up, but you stated it. Diane, I have to give her the credit, thought that the Lincoln Theatre would be an appropriate place to hold the Public Hearing considering we've had some people stating that they had trouble getting on to voice their opinions on the online meetings. So, this would give them the ability to show up in person and also make sure that we are following proper social distancing and other issues.

COUNCIL PRESIDENT ISTNICK – Thank you. Does anyone else have anything?

7. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 98 – 2020

BY: HEALTH, WELFARE & BLDG. REGULATIONS COMMITTEE

AN ORDINANCE authorizing the Massillon City Health Department to enter into Memorandum of Agreements with the Stark County Combined General Health District for a CT 21 Grant and a CO 21 Grant, under the Ohio Department of Health, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Halter.

COUNCILWOMAN HALTER – Thank you, Madam President. We discussed this at our Work Session last Monday. Do any council members have any questions? Ms. Argent is on the line and she can answer anything if you do. Hearing none, I would like to made a motion that we waive the rules requiring three readings and bring Ord. No. 98 – 2020 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Herncane. Roll call for suspension.

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 98 – 2020 has passed. Ord. No. 99 – 2020.

ORDINANCE NO. 99 – 2020

BY: PARKS AND RECREATION COMMITTEE

AN ORDINANCE authorizing the Massillon Recreation Center to offer a 50% discount on memberships as part of the November 2020 Membership Drive, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer.

COUNCILWOMAN CREAMER – Thank you, Madam President. As discussed at the Work Session along with Director Pedro's presence and he's also on the call tonight to answer any additional questions that anyone may have regarding the annual 2020 membership to the Recreation Center. Are there any questions?

COUNCIL PRESIDENT ISTNICK – Councilman Thieret.

COUNCILMAN THIERET – Thank you, Madam President. Was that just on new members, as I understood?

COUNCILWOMAN CREAMER – Yes.

STEVE PEDRO – Yes.

COUNCIL PRESIDENT ISTNICK – Any other questions? Councilwoman Creamer.

COUNCILWOMAN CREAMER – Hearing none, I make a motion that we waive the rules requiring three readings and bring Ord. No. 99 – 2020 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Litman. Roll call for suspension.

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 99 – 2020 has passed. Ord. No. 100 – 2020.

ORDINANCE NO. 100 – 2020

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

AN ORDINANCE authorizing the Auditor and the Mayor of the City of Massillon, Ohio, and the Massillon City Health Department, to enter into a contract with Local Government Services (LGS) to compile the basic financial statements for the Massillon City Health Department for the financial year ending December 31, 2020, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Gregg.

COUNCILMAN GREGG – Thank you, Madam President. As we discussed in the Work Session on Monday, this is pretty much a standard agreement that we go through, although it's relatively new that we have to do it specifically with the Health Dept. Auditor Ferrero kind of gave us some information on the different aspects of this ordinance. Are there any questions from Council? Madam President, I do not have video this evening, so, if someone raises their hand, you'll have to let me know.

COUNCIL PRESIDENT ISTNICK – I don't see anyone.

COUNCILMAN GREGG – Okay, thank you. Hearing none, I see no reason not to bring this forward for a vote this evening. So, I'm going to make a motion to waive the rule requiring three readings of Ord. No. 100 – 2020 and bring it forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Starrett. Roll call for suspension.

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 100 – 2020 has passed. Ord. No. 101 – 2020.

ORDINANCE NO. 101 – 2020

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for an Intersection Streetlight Improve Project, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Thieret.

COUNCILMAN THIERET – Thank you, Madam President. We did discuss this, but we need to make a term change here. It's actually not a streetlight improvement; it's traffic light or traffic control light, it should read. So, do I need to put an amendment forward now to change that or can we just change it?

COUNCIL PRESIDENT ISTNICK – Mr. Richard, do you have an answer to that? Mr. Bartos?

BILL BARTOS – Madam President.

COUNCIL PRESIDENT ISTNICK – Yes.

BILL BARTOS – So, the question is, we have to amend from intersection streetlight to intersection traffic light?

COUNCILMAN THIERET – Correct.

BILL BARTOS – What's the amendment?

COUNCILMAN THIERET – It would have to read "intersection traffic control light" instead of streetlight.

COUNCIL PRESIDENT ISTNICK – I think the question is, do we have to make an amendment or can Diane just change the wording?

BILL BARTOS – I would say that an amendment would be appropriate. Given that it's currently before Council. So, I think it's best to make a motion and it's just a phase so, I think you could do that now unless anybody's aware a rule that requires a written motion here. But, just a simple phrase in place of streetlight, I think would be a sufficient verbal motion unless anyone can correct me if I'm wrong there. But, I think it would be appropriate to make an amendment.

COUNCIL PRESIDENT ISTNICK – Okay. Councilman Thieret.

COUNCILMAN THIERET – In that case, I'd like to make a motion that we change the word "streetlight" to "traffic light".

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Creamer.

COUNCIL CLERK ROLLAND – Excuse me. I have a question.

COUNCIL PRESIDENT ISTNICK – Yes, Diane.

COUNCIL CLERK ROLLAND – Now, the first time he said traffic control and not traffic streetlight.

COUNCILMAN THIERET – No, not traffic streetlight. Just take streetlight out and put in traffic...

COUNCIL CLERK ROLLAND – Traffic light or traffic control?

DAVE MALEY – Traffic light.

COUNCIL CLERK ROLLAND – Traffic Control Improvement Project?

COUNCILMAN THIERET – Dave Maley said traffic light.

DAVE MALEY – I would just do traffic light. That would be fine, thank you.

COUNCILMAN THIERET – Okay, we'll go with that.

COUNCIL PRESIDENT ISTNICK – Roll call for the amendment.

9 yes to amend

COUNCIL PRESIDENT ISTNICK – Okay. Councilman Thieret, we're back to you.

COUNCILMAN THIERET – Thank you, Madam President. Is there any other discussion on this ordinance? If not, I would like to bring this forward this evening. Any discussion?

COUNCIL PRESIDENT ISTNICK – Any questions or comments? Councilman Thieret.

COUNCILMAN THIERET – Hearing none, I make a motion that we waive the rules requiring three readings and bring Ord. No. 101 – 2020 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Creamer. Roll call for suspension.

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 101 – 2020 has passed. Ord. No. 102 – 2020.

ORDINANCE NO. 102 – 2020

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to execute the Preliminary Participatory Legislation with the Ohio Dept. of Transportation (ODOT), for the STA US-30 0.00, PID 107458, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Thieret.

COUNCILMAN THIERET – Thank you, Madam President. Is there any discussion on this? We the engineers tell us a little bit about this last week. This is typically one of those where the State has to have our permission to do work in the City.

COUNCIL PRESIDENT ISTNICK – I'm not seeing any.

COUNCILMAN THIERET – If there are no questions, I make a motion that we waive the rules requiring three readings and bring Ord. No. 102 – 2020 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Creamer. Roll call for suspension.

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 102 – 2020 has passed. Ord. No. 103 – 2020.

ORDINANCE NO. 103 – 2020

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to execute the Preliminary Participatory Legislation with the Ohio Dept. of Transportation (ODOT), for STA SR-93/236 11.71/0.00, PID 101417, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Thieret.

COUNCILMAN THIERET – Thank you, Madam President. This is another one of those Preliminary Participatory Legislation and there is some cost involved in this one. If there are any questions, I believe our engineer is on the call tonight.

COUNCIL PRESIDENT ISTNICK – Any questions or comments? Councilman Thieret.

COUNCILMAN THIERET – Hearing none, I make a motion that we waive the rules requiring three readings and bring Ord. No. 103 – 2020 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Halter. Roll call for suspension.

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 103 – 2020 has passed. Ord. No. 104 – 2020.

ORDINANCE NO. 104 – 2020

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1234 Parks and Recreation Fund for The Legends Golf Course of Massillon, for the year ending December 31, 2020, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This ordinance is coming from Parks and Rec. They're appropriating \$18,000 for equipment that is needed at The Legends Golf Course. Are there any questions or discussion this evening? Hearing none, I make a motion that we waive the rules requiring three readings, bringing Ord. No. 104 – 2020 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Starrett. Roll call for suspension.

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 104 – 2020 has passed. Ord. No. 105 – 2020.

ORDINANCE NO. 105 – 2020

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1424 Fresh Mark Infrastructure Fund and the 1429 University Inn Village Infrastructure Fund, for the year ending December 31, 2020, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This is taking from two separate TIF's that we have within the City for a total of \$140,000 and this is to fund the project on Richville/Southway and Nave for the new intersection and traffic signal improvements. Are there any questions or discussion this evening?

BILL BARTOS – Madam President.

COUNCIL PRESIDENT ISTNICK – Yes.

BILL BARTOS – Diane can correct me if I'm wrong, but I believe in the emergency section "Streetlight Improvement Project" is referenced. So, it may be best to amend "Streetlight" to "Traffic Light" as we did for the prior ordinance that was amended earlier today.

COUNCIL PRESIDENT ISTNICK – Thank you, Mr. Bartos. Councilman Lewis.

COUNCILMAN LEWIS – I make an amendment that we change "Streetlight" to "Traffic Light".

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Starrett. Roll call for the amendment.

9 yes for the amendment

COUNCIL PRESIDENT ISTNICK – Thank you. Councilman Lewis.

COUNCILMAN LEWIS – I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 105 – 2020 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Starrett. Roll call for suspension.

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 105 – 2020 has passed. Ord. No. 106 – 2020.

ORDINANCE NO. 106 – 2020

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1235 Community Health Services Fund, for the year ending December 31, 2020, and declaring an emergency.

COUNCIL PRESIDENT ISNTICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. Do we still have Ms. Argent on the call?

TERRI ARGENT – Yes, I'm still here.

COUNCILMAN LEWIS – Madam President, if she would like to give us a summary of this once again.

COUNCIL PRESIDENT ISTNICK – Okay, if you would, Ms. Argent?

TERRI ARGENT – Yes. This is when we get our grants, we have several grants for COVID work, the money that comes back to us, it's a reimbursement grant and the money comes back to us goes into our unappropriated funds and we just need to appropriate that money back into our Services/Contracts to get it back for spending.

COUNCILMAN LEWIS – And these grants; these are the ones that were helping you with awareness and education and tracing, correct?

TERRI ARGENT – That's correct.

COUNCILMAN LEWIS – Alright. Are there any other questions or discussion? Hearing none, I make the motion that we suspend the rules requiring three readings, bringing Ord. No. 106 – 2020 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Starrett. Roll call for suspension.

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 106 – 2020 has passed. Ord. No. 107 – 2020.

ORDINANCE NO. 107 – 2020

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1217 Local Coronavirus Relief Fund, for the year ending December 31, 2020, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This is just the appropriation of the dollars that we received from the State. The second round and then later tonight, I'll talk about the third round that we are anticipating. Are there any questions or discussion this evening? Hearing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 107 – 2020 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Starrett. Roll call for suspension.

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 107 – 2020 has passed. Res. No. 16 – 2020.

RESOLUTION NO. 16 – 2020

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

A RESOLUTION declaring intent of the City of Massillon to appropriate property within its corporate limits, pursuant to Chapter 719 of the Ohio Revised Code, for the purpose of acquiring fee simple interests and temporary easements necessary for construction of the Wales Road Widening Project, STA SR-241 09.71, PID No. 100471, and declaring the same to be an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Thieret.

COUNCILMAN THIERET – Thank you, Madam President. As we discussed at the Work Session with the Law Dept., this is just another step that is necessary to legally go through the process of acquiring the easements necessary for the widening project. If there are any questions, I would defer those to the Engineering Dept.

COUNCIL PRESIDENT ISTNICK – Any questions or concerns? Councilman Thieret.

COUNCILMAN THIERET – I'd like to make a motion that we waive the rules requiring three readings and bring Res. No. 16 – 2020 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Creamer. Roll call for suspension.

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Res. No. 16 – 2020 has passed.

8. UNFINISHED BUSINESS

9. PETITIONS AND GENERAL COMMUNICATIONS

10. BILLS, ACCOUNTS AND CLAIMS

Ohio TechWorks, LLC - \$ 1,460.95 Computer Equipment for Chambers

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I make a motion that we pay the bills.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Starrett.

9 yes to pay the bills

COUNCIL PRESIDENT ISTNICK – Thank you. The Clerk will pay the bills and charge them to their proper accounts.

11. REPORTS FROM CITY OFFICIALS

12. REPORTS OF COMMITTEES

COUNCIL PRESIDENT ISTNICK – Our next Work Session will be next Monday, October 12, 2020 at 6:30 p.m. We will meet on Columbus Day. My understanding, Councilman Lewis, is that we will be meeting in Chambers.

COUNCIL CLERK ROLLAND – It's not going to happen, not yet.

COUNCIL PRESIDENT ISTNICK – Why?

COUNCIL CLERK ROLLAND – We still don't have the other equipment and we have to have cable. I was just informed of that today and that's through MCTV and that's going to be \$90.00

per month and we're going to have to work that into our budget because that's going to average out to about \$1,080 per year for us to have cable.

COUNCIL PRESIDENT ISTNICK – Well, I don't think we're going to keep cable the entire year, are we?

COUNCIL CLERK ROLLAND – That I don't know, Madam President.

COUNCIL PRESIDENT ISTNICK – Councilman Lombardi, do you have a timeline when this stuff could be completed by?

COUNCILMAN LOMBARDI – Well, Massillon Cable TV was just in today to look at what they've got here and what they can do. He said once they did their study that they would get it back to him. So, I guess within the next couple of days, I'll find out exactly what we're looking at and what kind of a timeframe from them.

COUNCIL PRESIDENT ISTNICK – And what else was a concern, Diane, cable and what else?

COUNCIL CLERK ROLLAND – The equipment from Bobby Jones of the Music Shoppe.

COUNCIL PRESIDENT ISTNICK – Councilman Lombard, do you know then that is?

COUNCILMAN LOMBARDI – I will give him a call tomorrow to see what he plans on doing as far as installing.

COUNCIL PRESIDENT ISTNICK – I will tell you right now, I'm the saddest girl in the world. I was really, really planning on being there Monday. We need to get back into Council Chambers as soon as possible. Councilman Lombardi, if you have any magic powers, please try to get it done as fast as possible.

COUNCILMAN LOMBARDI – Okay. I will. Anyone else have anything?

COUNCILMAN LEWIS – Yes.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. A report from the Finance Committee. I spoke with Auditor Jayne Ferrero today. She informed me that she just received communication today that the additional 1.1 million dollars in relief will be coming to the City. She would expect it within the next week or two and we would have until November 20, 2020, to spend it.

COUNCIL PRESIDENT ISTNICK – Wow. You think we can do that?

COUNCILMAN LEWIS – Yes. I know that she was saying that we can use some of it for salaries and things of that nature. I think that's where we'll see the greatest relief.

COUNCIL PRESIDENT ISTNICK – Wonderful. Anyone else?

COUNCILWOMAN LITMAN – Madam President.

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – Thank you, Madam President. I would ask that perhaps Administration could keep us up-to-date on how they are looking at spending some of these funds and if they would consider other conversations that we've had up to this point on projects that are going to require some funds that may be eligible for this type of grant funds. So, I would just ask for a regular update on what they're thinking so that we don't come down to November 20th and say that we didn't have any time to figure out what we were going to do with these funds. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you. Anyone else?

13. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

14. CALL OF THE CALENDAR

ORDINANCE NO. 11 – 2020 **BY: FINANCE COMMITTEE**
Tabled July 20, 2020 until October 5, 2020

AN ORDINANCE authorizing the Director of Public Service and Safety of Massillon, Ohio, to exercise the option to renew the engineering contract with OHM Advisors for the years 2020, 2021 and 2022, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. Is the Mayor on?

MAYOR CATAZARO-PERRY – Yes I am.

COUNCILMAN LEWIS – I would like to ask the Mayor to speak to this.

COUNCIL PRESIDENT ISTNICK – Good evening, Mayor.

MAYOR CATAZARO-PERRY – Members of Council, we've been working on this all summer. We have now requested and submitted legislation to Senator Kirk Schuring. We need a little more time on this for him to get it to the floor to be voted on. So, we're asking to postpone this vote until December 7, 2020 and David Krock is also on the line to answer any of your questions.

COUNCIL PRESIDENT ISTNICK – Does anyone have a specific question?

COUNCILMAN LEWIS – I would just ask Mr. Krock whereas we continue to work through this, I assume your company provides some level of service to the City of Massillon and they have agreed to continue to do so without to do so without a contract in place?

DAVID KROCK – That's correct, Mr. Lewis. We have agreed to continue along with same terms from 2019 until this can all get resolved under the prior contract.

COUNCILMAN LEWIS – Thank you.

COUNCILWOMAN LITMAN – Madam President.

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – Do we have a timeline on when we believe that this would be something that could be voted upon?

DAVID KROCK – Ms. Litman, at this point, Senator Schuring has the language. He needs to attach it to a bill that's working its way through the House and Senate. There's a chance that it happens before the election, but what we're hearing is that it'll probably happen in the "lame duck" session after the election. And so, that's why we're asking for that additional time. But we do believe that it's working its way through.

COUNCILWOMAN LITMAN – So you would request this to be tabled until when?

COUNCILMAN LEWIS – December 7th.

COUNCILWOMAN LITMAN – Thank you, Mr. Lewis.

COUNCIL PRESIDENT ISTNICK – Anyone else? Councilman Lewis.

COUNCILMAN LEWIS – I make a motion that we table Ord. No. 11 – 2020 until December 7, 2020.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Starrett. Roll call.

9 yes to table Ord. No. 11 – 2020 until December 7, 2020

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 11 – 2020 has been tabled until December 7, 2020.

15. THIRD READING ORDINANCE AND RESOLUTIONS

ORDINANCE NO. 89 – 2020

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to transfer parcel No. 10003720 (former Affinity Medical Center), located at 845 – 8th St. N.E., Massillon, Ohio; and Parcel No. 10000149 (former Affinity Medical Center parking lot across 8th St. N.E.), from the City of Massillon to the Community Improvement Corporation of Massillon (CIC), and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. As was discussed at length last week, this is the ordinance to transfer the hospital properties to the Massillon CIC in order to enter into an agreement to auction the properties off with Kiko. As Mr. Bartos explained to us last week, in order for us to proceed in this fashion, the City of Massillon itself as an entity cannot enter into that agreement with Kiko based upon Case Law and we would have to transfer to the CIC in order to proceed. It looks like Mr. Maley did send out the contract with

Kiko that they intend to enter into. So, at this time I would ask if anybody has any additional questions? We had quite a bit of discussion last week, but I do know that Mr. Maley is on the line to answer questions.

COUNCILWOMAN LITMAN – Madam President.

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – Thank you, Madam President. I do want to thank Administration for the copy of the listing contract. I have two questions; one would be if the advertising for the auction would be advertised as a "Reserve Auction" as it is described in the contract, which would be, of course at this point, an approval of the highest bidder before the sale could conclude and second question would be, who would be signing this contract of the CIC?

DAVE MALEY – Ms. Litman, the first question is that it would not be advertised as any type of reserve on this and the second question, Phil Elum is the President of CIC, he would be signing the contract.

COUNCILWOMAN LITMAN – Mr. Maley, the contract itself says that "This is a Reserve Auction" and the answer to that question on this contract is "yes"?

DAVE MALEY – It is not supposed to be a reserved contract or any type of reserve on this because Kiko does not like to do reserves. What section are you seeing reserved?

COUNCILWOMAN LITMAN – The very first paragraph. The last sentence. It questions, "Is this auction subject to approval? – yes".

DAVE MALEY – Yeah. It's subject to approval with the Mayor's approval; additional info down at the bottom. But it is not supposed to be a reserved auction.

COUNCILWOMAN LITMAN – Okay, thank you. And the signor, I'm sorry, you said was?

DAVE MALEY – Philip Elum.

COUNCILWOMAN LITMAN – Okay. He's the President?

DAVE MALEY – Of CIC, yes.

COUNCILWOMAN LITMAN – Okay, thank you.

COUNCIL PRESIDENT ISTNICK – Are there any other questions?

COUNCILWOMAN STARRETT – Madam President, if I could just speak on that because I see where Linda is looking and I think, Linda, what it's trying to say is that because it's subject to approval by the Mayor of Massillon, by law, they call it a reserve, but it's only a reserve because it has to be approved.

COUNCILWOMAN LITMAN – Yes. That was my thought on that as well.

DAVE MALEY – Yes, but I don't think that they are going to advertise it as a reserve auction. I'm pretty sure, but, I'll have to ask Peter that.

COUNCIL PRESIDENT ISTNICK – Thank you. Any other questions? Councilwoman Starrett.

COUNCILWOMAN STARRETT – Hearing no other questions or discussion, Madam President, this is up for third reading tonight. So, I'll just make a motion that we bring it forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Nancy Halter. Roll call.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 89 – 2020 has passed.

16. **SECOND READING ORDINANCES AND RESOLUTIONS**

ORDINANCE NO. 88 – 2020

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE amending the Zoning Map of the City of Massillon, Ohio, by rezoning certain real property from R-3 One Family Residential District to B-3 General Business District.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. I intend to give this second reading tonight. I just briefly want to reiterate, again, that the Public Hearing will be October 28, 2020, at 6:00 p.m. at the Lions Lincoln Theatre for anybody that signed on late. Second reading.

COUNCIL PRESIDENT ISTNICK – My understanding, at the Public Hearing there is room for 102 people including Council. So, subtract eleven, so there would be room for 91 people in the audience. Ord. No. 97 – 2020.

ORDINANCE NO. 97 – 2020

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Lease Agreement with the Community Improvement Corporation of Massillon (CIC) for Parcel No. 10003720 (former Affinity Medical Center), located at 845 – 8th St. N.E., Massillon, Ohio; and Parcel No. 10000149 (former Affinity Medical Center parking lot across 8th St. N.E.), and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. This is the companion piece to Ord. No. 89 – 2020. This piece of legislation allows the City to enter into a lease with the Massillon CIC in order to continue to take care of expenses and bills for the hospital until the property is auctioned off. So, at this point is there any further discussion or questions regarding Ord. No. 97 – 2020? Hearing none at this time, I would make a motion that we waive the rules requiring three readings and bring Ord. No. 97 – 2020 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Lewis. Roll call for suspension.

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 97 – 2020 has passed. Before we move into item #17 on the agenda where the public can speak on any items that did not appear on tonight's agenda, I would just like to go back for a minute and just let someone think about this and get back to us with an answer. They said cable would be \$90.00 per month and I'm just wondering if that could come out of the COVID money. So, if someone could think about that and get back to us on Monday, I'd appreciate it.

17. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS NOT ON THE AGENDA

L.J. DELUCA – Good evening. 2954 Veterans Blvd., Massillon, OH 44646. I just wanted you to know, Madam President, I've been trying to get on and having a hard time. Also, the clarity tonight, I'm wondering if Marco could try and improve that as you said that he would. I want to talk today about Mast Trucking, Millersburg, OH and Rocket Jewelry Packaging, I think they're based in New York. To get these businesses to move, build and expand right here in Massillon, Ohio; it's a big win for the Mayor and her staff and the residents; all of here in Massillon, Ohio. I'm in business and we need more companies to call Massillon home with their divisions, not just their divisions, but that's a lot better than nothing. With that in mind, Madam President, it's time for the City of Massillon, Ohio, to form a new team that targets companies such as these very fine and outstanding companies. They seldom come to us. Let's be truthful with everybody in the City of Massillon. David Maley, our Economic Development Director; I know he's trying, but David's got to get in the car and go to them. They don't come to us. We got to go to them. Also, we've got to start using some CRM, Customer Relations Management, things I use. And just briefly, I use Sells Force, CRM on Demand, Workbooks.com, Contuactuality, WorkOnline, Microsoft Dynamics and Sellsnet and ACT. This helps to nature the business so we can get them. Taking those big wins in mind with Rocket Mortgage and Mast Trucking, I believe we could have secured Meier's here instead of Belden Village in Jackson Twp. and that would have changed our Massillon, Ohio, dynamics, Madam President, and tax base of Massillon, Ohio, like you would have never believed before; a whole heaping bunch. Instead, we lost out. Okay, but that's okay; we're going to get them. We got those two going. We lost out with Hendrickson to Navarre. The Massillon Tigers, congratulations from all my family and all of the people at The Legends of Massillon. You're great with a win and keep going. Our Massillon Tigers football team is used to winning. They're not losers, they're not losers. I don't want the City of Massillon to be a loser. We're doing great. But, if I can afford to get this customer relations management, the City of Massillon can to. I just want to know what our social selling goals are for the Massillon City that we have right now and I think Dave Maley could answer that. I think it's not that great. I think we could do a little better in that regard. And again, I want to say that it's a big win for the Massillon, Ohio, and the Mayor and her staff. She said it's small but mighty and I want to congratulate them, again. Again, this is L.J. Deluca, an advocate for the City of Massillon, Ohio, and my friends here, the residents of Massillon, Ohio. Thank you, Madam President.

COUNCIL PRESIDENT ISTNICK – Thank you, L.J. Anyone else?

DAVE MALEY – Madam President.

COUNCIL PRESIDENT ISTNICK – Yes, Dave.

DAVE MALEY - I don't normally like to comment on things, but I would just like to make Council aware that we did have discussions with Meier's, but they could not find a suitable site in the City of Massillon. I just wanted to make sure that Council was aware of that.

COUNCIL PRESIDENT ISTNICK – Thank you, Mr. Maley.

L.J. DELUCA – Excuse me, Madam President. Can I speak to that since Mr. Maley used my name?

COUNCIL PRESIDENT ISTNICK – I will allow it.

L.J. DELUCA – Okay. I'll be very short Madam President. Thanks again, as you always do. Mr. Maley and me had a talk. Mr. Maley didn't go to Meier's; I've talked to Meier's. Meier's came and sat in his office he told me. Again, I don't want to put out any names, but Dave, we got to be more proactive than reactive. And again, thank you, Dave, for the job that you're doing, but we got to do a little bit better. Thank you, Madam President, for letting me speak again.

COUNCIL PRESIDENT ISTNICK – Anyone else?

18. ADJOURNMENT

COUNCILWOMAN HALTER – Thank you, Madam President. I move we adjourn.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Litman. Meeting adjourned.

DIANE ROLLAND, COUNCIL CLERK

CLAUDETTE ISTNICK, PRESIDENT